

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1468

SAEED Y. HASSEN,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals (A78-347-031)

Submitted: January 23, 2004

Decided: March 9, 2004

Before WILKINSON, NIEMEYER, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

David A. Garfield, LAW OFFICES OF DAVID GARFIELD, Washington, D.C.,
for Petitioner. Peter D. Keisler, Assistant Attorney General, Linda
S. Wernery, Senior Litigation Counsel, Janice K. Redfern, OFFICE OF
IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Saeed Y. Hassen, a native and citizen of Eritrea, petitions for review of an order of the Board of Immigration Appeals ("Board") affirming, without opinion, the immigration judge's denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture.

On appeal, Hassen raises challenges to the immigration judge's determination that he failed to establish his eligibility for asylum. To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Hassen fails to show that the evidence compels a contrary result.

We have also reviewed Hassen's claim that he was entitled to a grant of asylum on humanitarian grounds and find that his is simply not "the rare case where past persecution is so severe that it would be inhumane to return the alien even in the absence of any risk of future persecution.'" Gonahasa v. INS, 181 F.3d 538, 544 (4th Cir. 1999) (quoting Vaduva v. INS, 131 F.3d 689, 690 (7th Cir. 1997)). Accordingly, we cannot grant the relief that Hassen seeks.

We therefore deny the petition for review. We dispense with oral argument because the facts and legal contentions are

adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED